



**CITY OF AUBURN
PUBLIC WORKS COMMITTEE**

February 1, 2010

DRAFT MINUTES

I. CALL TO ORDER

Chairman Rich Wagner called the meeting to order at 3:30 p.m. in Council Chambers, located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, Washington. Committee members present were: Chairman Rich Wagner, Vice-Chair Sue Singer, and Member Bill Pelozza. Also present during the meeting were: Mayor Peter B. Lewis, Public Works Director Dennis Dowdy, City Engineer/Assistant Director Dennis Selle, Assistant City Engineer Ingrid Gaub, Utilities Engineer Dan Repp, Finance Director Shelley Coleman, Customer Care Supervisor Brenda Goodson-Moore, Utilities and Accounting Services Manager Rhonda Ewing, City Attorney Dan Heid, Project Engineer Jacob Sweeting, Project Engineer Robert Lee, Traffic Engineer Pablo Para, Transportation Planner Joe Welsh, Engineering Aide Amber Mund, Principal Planner Elizabeth Chamberlain, Citizen Wayne Osborne, and Department Secretary Jennifer Rigsby.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

It was moved by Vice-Chair Singer, seconded by Member Pelozza, that the Committee approve the Public Works Committee minutes for date, January 19, 2010.

Motion carried 3-0.

B. APPROVE RIGHT-OF-WAY USE PERMIT NO. 10-01 FOR THE CITY OF AUBURN PARKS, ARTS, AND RECREATION DEPARTMENT'S ANNUAL PETPALOOZA DOG TROT FUN RUN

Engineering Aide Mund explained that Auburn Parks and Recreation Department has submitted their application for the department's Annual Petpalooza Dog Trot Fun Run Right-of-Way Use Permit. Mund stated one part of the run is being extended into Game Farm Park, but that does not affect the conditions of the permit.

Chairman Wagner asked if one or both lanes of R Street SE are closed during the run. Mund responded that both lanes are closed however there are flaggers present who direct traffic in both the north and south bound directions, around the lane closure.

It was moved by Vice-Chair Singer, seconded by Member Pelozza, that the Committee approve Right-of-Way Use Permit No. 10-01 for the City of Auburn Parks and Recreation Department's Annual Petpalooza Dog Trot and Fun Run.

Motion carried 3-0.

C. APPROVE AUBURN ENGINEERING DESIGN STANDARDS MANUAL REVISIONS TO CHAPTER 5, TESC, CLEARING AND GRADING

Assistant City Engineer Gaub was present. Chairman Wagner asked if the changes to Section 5.04 – Retaining Walls, paragraph three, allowed for retaining walls to be constructed without a change in vertical depth of the wall face. Gaub explained the depth relief referenced in the section allows for the face of the retaining wall to be varied in depth to avoid flat faced concrete walls. Chairman Wagner asked if the Committee thought the texture requirements were too restrictive and if the height requirements at which the treatments would be required should be based on a height greater than four feet. Gaub stated that any one of the decorative options or a combination of them could be used by the builder. Chairman Wagner recommended a threshold greater than four feet at which point the texturing requirements would apply be included. Vice-Chair Singer agreed.

Vice-Chair Singer asked if “all retaining walls” included rockeries and block walls. Gaub stated the requirements would apply to all wall types listed below including block walls but that rockeries in general would already meet the requirement due to the uneven nature of the face of a rockery.

Chairman Wagner suggested a limit five feet or greater for the texture treatment requirements. The Committee agreed.

Staff answered questions asked by Member Peloza regarding the differences between retaining walls and river flood walls, levees, and slope protection.

Vice-Chair Singer mentioned the requirement for engineering on retaining walls exceeding four feet in height. Staff stated that requirement is part of the International Building Code (IBC) adopted by the City.

The Committee and staff discussed the requirements for terracing retaining walls exceeding fifteen feet in height. Assistant Director/City Engineer Selle stated the ten foot wide requirement for the terraces is to allow for aesthetic treatments between the walls and maintenance access. Vice-Chair Singer asked if the requirement applies to a single lot. Selle answered that it could or single lots could be excluded if desired. Selle answered questions asked by Chairman Wagner regarding the width of the terrace and the need for maintenance, repair, and future replacement.

Vice-Chair Singer recommended the Committee seek additional review by engineers on Section 5.04 – Retaining Walls.

Assistant Director/City Engineer Selle recommended increasing the terracing requirement to a height of twenty feet, if the builder provided a maintenance plan acceptable to the City.

Member Peloza asked if the walls are inspected for anti-graffiti sealant. Gaub stated walls are inspected during construction including for the sealant. The Committee and staff discussed adding the language, “a design that does not encourage graffiti,” to exclude rockery and similar type walls from the sealant requirement. Vice-Chair Singer commented that maybe single-family residences should be excluded if the property is not on an arterial street. Mayor Lewis pointed out the number of benefits of the anti-graffiti sealant.

Assistant City Engineer Gaub answered questions asked by Vice-Chair Singer about the engineering requirements for set-back (step) walls and when a building permit would be required.

Vice-Chair Singer requested additional review of the section prior to approving the changes. Assistant Director/City Engineer Selle recommended the Committee approved all of the other changes in the chapter, excluding Section 5.04, because the other changes within the chapter are related to the implementation of the NPDES Phase II Permit requirements that go into effect February 16, 2010.

It was moved by Vice-Chair Singer, seconded by Member Pelozo, that the Committee approve the changes to Chapter 5, TESC, Clearing and Grading, excluding Section 5.04 – Retaining Walls, of the City of Auburn Engineering Design Standards.

Motion carried 3-0.

D. APPROVE CONSULTANT AGREEMENT NO. AG-C-379 WITH INCA ENGINEERS INC FOR ENGINEERING SERVICES ON PROJECT NO. CP0916, WEST VALLEY HIGHWAY IMPROVEMENTS PROJECT

Using an illustration, Project Engineer Sweeting described the scope of the project. Sweeting stated the purpose of the project is to make improvements to West Valley Highway from West Main Street to State Route 18 (SR18). The improvements include: reconstruction of the roadway, widening of the roadway to provide a continuous center left turn lane, a raised center barrier, sidewalk on one side, curb, and gutter, providing combined bike lanes, traffic signal improvements at the intersection of West Valley Highway and West Main Street, new street lights, and storm drainage facilities.

Sweeting explained there are two alternative designs that will be considered by the consultant. Project Engineer Sweeting answered questions asked by Member Pelozo regarding the new storm pond facility and storm runoff. Chairman Wagner asked if the storm pond facility is required. Sweeting stated it is a requirement. Sweeting discussed the options for the storm facility being considered.

The Committee and staff discussed the location of the proposed sidewalk and the location of existing sidewalks on West Valley Highway. Sweeting clarified that the design process will evaluate and make a recommendation on the preferred location of the sidewalk.

Chairman Wagner asked for justification for the funds being used from the storm fund. Director Dowdy stated the need for storm drainage improvements drives the need for storm funds. Assistant Director/City Engineer Selle stated the cost for these improvements includes the storm drainage system within the roadway, the treatment facility, and the extensive underdrain system for water conveyance to address the water coming from the hill side springs adjacent to the project. Vice-Chair Singer commented on the seepage in the area that currently flows across the roadway.

Member Pelozo asked if the project is a total rebuild. Project Engineer Sweeting answered that it is a total road rebuild and widening. Chairman Wagner verified the roadway is being design to incorporate the truck usage of the corridor.

Project Engineer Sweeting answered questions asked by Vice-Chair Singer regarding the continuous left turn lane. Sweeting stated the length of the left turn lane pockets for the intersection is being modeled to determine the most appropriate length. There is a significant amount of traffic going southbound and turning on to SR18 which will likely require a long left turn pocket.

Traffic Engineer Para answered questions asked by the Committee regarding the classification of the proposed bicycle lane. Vice-Chair Singer asked if the project was using federal funds. Sweeting answered the funds are state funds via the Transportation Improvement Board (TIB) Grant. Assistant Director/City Engineer Selle explained that ideally there would be a Class 1 trail along the arterial however conditions along the roadway would prevent such a trail and the goal for staff is to include the best bicycle accommodations safely within the roadway parameters.

Project Engineer Sweeting answered questions asked by Chairman Wagner regarding site visits that are included in the consultant budget.

The Committee and staff discussed the requirement for the Valley Engineering Study. Sweeting stated for a project this sized, using TIB funds, a Valley Engineering Study would be required at the 30% design stage; however some of the requirements may be changing. Assistant City Engineer Gaub described the Valley Engineering Study process and changes that could be made based on the outcome of the study.

The Committee and staff discussed wetland delineation. Assistant Director/City Engineer Selle said the goal is to avoid going into the wetland area.

It was moved by Vice-Chair Singer, seconded by Member Peloza, that the Committee recommend Council approve Consultant Agreement No. AG-C-379 with INCA Engineers for Project No. CP0916, West Valley Highway Improvements Project.

Motion carried 3-0.

III. ISSUES

A. ORDINANCE NO. 6218 AMENDING CHAPTER 10.02 OF THE AUBURN CITY CODE RELATING TO COMMUTE TRIP REDUCTIONS

Transportation Planner Welsh was present.

Member Peloza asked if the Valley Regional Fire Authority should be included in the assessment. Welsh stated no, because the requirement is for over 100 employees coming to work at a single work site.

Transportation Planner Welsh explained the employers are being asked to provide incentives that encourage transit ridership, following questions asked by Vice-Chair Singer regarding getting credit for improvements to bicycle routes.

Member Peloza asked how the City enforces Commute Trip Reductions (CTR). Welsh explained that the City has a contract with King County which administers the program for the City. King County is primarily responsible for enforcement and compliance. Welsh stated as

long as an employer is making a good faith effort to meet the CTR goals, they will be found in compliance.

It was moved by Vice-Chair Singer, seconded by Member Pelosa, that the Committee recommend Council adopt Ordinance No. 6218.

Motion carried 3-0.

B. RESOLUTION NO. 4559 SETTING A PUBLIC HEARING DATE FOR RIGHT-OF-WAY VACATION NO. V4-09 FOR AUBURN DAIRY PRODUCTS INC.

Engineering Aide Mund reported that Auburn Dairy is requesting a Right-of-Way Vacation of the alleyway south of W Main Street and west of G Street SW. The vacation was discussed as the Planning and Community Development Meeting on January 25, 2010, and the resolution will set the Public Hearing.

Assistant Director/City Engineer Selle stated the applicant had the vacation approved in the past, but did not follow through with the conditions and the vacation then expired.

It was moved by Vice-Chair Singer, seconded by Member Pelosa, that the Committee recommend Council adopt Resolution No. 4559.

Motion carried 3-0.

C. RESOLUTION NO. 4566 PROVIDING FOR AMENDMENT TO THE CITY OF AUBURN FEE SCHEDULE TO ADJUST THE STORM PERMIT FEE STRUCTURE TO REFLECT THE CITY'S PHASE TWO NPDES PERMIT

Assistant City Engineer Gaub was present. There have been no changes to this Resolution since it was reviewed in detail by the Committee previously. There were no questions from the Committee.

It was moved by Vice-Chair Singer, seconded by Member Pelosa, that the Committee recommend Council adopt Resolution No. 4566.

Motion carried 3-0.

IV. DISCUSSION AND INFORMATION

A. LEAK ADJUSTMENT DISPUTE – SERVICE ADDRESS 32629 108TH PLACE SE, ACCOUNT 26574

Finance Director Coleman and Utility and Accounting Services Manager Ewing were present. Ewing distributed copies of Administrative Policy and Procedure 100-52, Utility Service Water Leak Adjustment.

Coleman provided background information. Coleman stated the customer repaired a water leak in his sprinkler line and submitted a leak adjustment on October 30, 2009. On November 5, 2009 the Water Customer Service Technician checked the meter and notified the customer that the meter was spinning and there must still be a leak. The additional leak was repaired on November 10, 2009 and the Water Customer Service Technician verified the repair on December 2, 2009.

The customer's leak adjustment calculation was \$1,230.00 but due to Administrative Policy 100-52, the leak adjustment was reduced by \$500.00 and applied to the customer's account on December 14, 2009. The customer is requesting consideration for a further adjustment. According to Policy 100-52, 50% of the remaining water portion over \$500.00 could be credited. That amount would be \$365.00 in this case.

The Committee reviewed the customer's written request for consideration of an additional reduction and Policy 100-52. The customer has paid \$3876.00 in repair costs.

Chairman Wagner commented that the customer was reasonably diligent in making the repairs and was in favor on the additional reduction. Member Peloza was not in favor of the additional reduction due to the fact that the customer neglected to verify the leak was repaired initially by checking whether the water meter was still spinning fast. Vice-Chair Singer was in favor of the additional reduction. Mayor Lewis commented that the customer provided one of the best responses to such a situation that the City has seen.

The Committee voted 2 in favor and 1 opposed to the additional balance reduction. The Finance Department will apply the 50% reduction (\$365.00) to the customer's account.

B. PROJECT NO. CP0906, 2009 GATEWAY SIGN

Project Engineer Lee gave a brief overview of the previous discussions with the committee which included deferring the construction of this project until 2010. Lee explained that the easement for the sign has been acquired and there was approximately \$130,000.00 in the 2009 budget for the project. Member Peloza asked how much the total budget would be for 2010. Lee answered an additional \$80,000.00 to \$95,000.00 is needed to complete the construction of the project.

The Committee and staff discussed the chosen location for the sign and visibility to drivers. The sign will be located at the southwest corner of East Valley Highway and the ramp to Lake Tapps Parkway but would be oriented such that drivers making a southbound to eastbound left turn would be able to see the sign.

The Committee decided, due to the current economic climate, to postpone the project and discuss it again in one year.

C. CAPITAL PROJECT STATUS REPORT

Item 9 – Project No. CP0701 – 8th and R Street NE Traffic Signal: Member Peloza asked when the project will begin construction. Assistant City Engineer Gaub answered that permission to advertise the project will be brought to the Committee in one of the next few meetings with the intent of advertising in March.

Item 24 – Project No. CP0915 – Well 1 Improvements: Chairman Wagner asked due to the CWA Agreement, if the project should be moved back past March 2011. Gaub answered that Phase 1 of the project includes analysis of the well to determine what the problem is and develop a solution. When analysis is complete, a determination can be made as to whether or not to reschedule the project. It was acknowledged that in the long term, water that the City can produce itself will likely be cheaper than purchasing water from others and so developing our water sources has long term benefits for the City.

Item 31 & 32, 2009 and 2010 Local Street Preservation Programs: Member Pelosa requested that these include a subtotal for the Save Our Street programs for both 2009 and 2010.

V. ADJOURNMENT

There being no further business to come before the Public Works Committee, the meeting was adjourned at 4:37 p.m.

Approved this _____ day of _____, 2010.

Rich Wagner
Chairman

Jennifer Rigsby
Public Works Department Secretary



DRAFT

**PLANNING & COMMUNITY
DEVELOPMENT COMMITTEE
AND
PUBLIC WORKS COMMITTEE**

**FEBRUARY 3, 2010
SPECIAL MEETING MINUTES**

I. CALL TO ORDER

Co-Chair Rich Wagner called the meeting to order at 6:07 p.m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

Committee members present were: Planning and Community Development Chair Lynn Norman, Public Works Chair Rich Wagner, Public Works Vice-Chair Sue Singer, and Member Bill Pelozza.

Staff members present included: Mayor Pete Lewis, Interim Planning and Development Department Director Kevin Snyder, Environmental Protection Manager Chris Andersen, Environmental Planner Jennifer Shih, Assistant City Attorney Steven Gross, Public Works Director Dennis Dowdy, Storm Drainage Engineer Tim Carlaw and Public Works Secretary Jennifer Rigsby.

Also in attendance: Jeff Spencer from BCR, Citizens Mara Heiman, Eric Turbut, Howard and Sharon Cottier.

II. JOINT STUDY SESSION WITH PUBLIC WORKS COMMITTEE

The Planning and Community Development and Public Works Committees and staff held a special meeting to discuss key issues, ideas and elements for the revision of the City's current floodplain and flood hazard area regulations, currently specified in Chapter 15.68 (Flood Hazard Areas) of the Auburn City Code. The City of Auburn will be updating these regulations in response to rule-making efforts by the Federal Emergency Management Agency (FEMA) that includes the issuance of a model ordinance for potential use by affected local governments.

Interim Planning and Development Department Director Snyder provided background information about the impending National Flood Insurance Program (NFIP) regulatory requirements. Staff participated in a multi-jurisdictional task force, facilitated by the Federal Emergency Management Agency (FEMA) that provided input into the development of the model ordinance, which will be distributed to local jurisdictions for use in adopting floodplain regulations that meet the minimum requirements of the Endangered Species Act (ESA) Biological Opinion (Bi-Op). Staff feels they have gathered enough information where they can begin work on developing the City's updated regulations to correspond and comply with the FEMA requirements. Environmental Protection Manager Andersen responded to questions asked by Co-Chair Wagner regarding the guidance documents being developed by FEMA that are to be used when adopting the model ordinance.

Mr. Snyder outlined the agendas for the two joint meetings of the Committees and reviewed the materials that will be discussed. Snyder explained staff is concurrently working with the Planning Commission on necessary changes to Titles 16, 17, and 18, but the primary changes in City regulations will need to be made to Title 15, specifically Chapter 15.68 – Floodplain Regulations. The Planning Commission will be holding a Public Hearing on February 23, 2010 to develop recommendations to the City Council for changes to Titles 16, 17, and 18. Staff is working with the Planning and Community Development and Public Works Committees to make the changes required in Title 15. There will also be a public open house to provide an update to citizens as to where staff is in updating the regulations, prior to staff presenting the changes to the City Council for consideration. The goal is to have a draft ordinance before the City Council for potential adoption on March 15, 2010. Co-Chair Wagner requested a review of staff's schedule and milestones for the development of the ordinance. Staff agreed to review the schedule with the Committee prior to adjournment of the meeting.

Mr. Andersen reviewed the materials that were distributed to the Committee and staff for the meeting and the study session format.

Storm Drainage Engineer Tim Carlaw gave an overview of the National Flood Insurance Program (NFIP) and explained the Special Flood Hazard Areas (SFHAs) in the City of Auburn. The NFIP provides incentives in the form of insurance premium discounts for policy holders within the communities that go beyond the minimum floodplain management requirements. The discounts are based on the Community Rating System (CRS). Communities meeting the minimum standards enter the CRS with a Class 10 rating, which provides no discount. Subsequent class reductions are equal to a 5% discount. The community is scored based on efforts to address certain programs, such as the requirement of compensatory flood storage for filling in the floodplain and the minimum one foot (1') finished floor above base flood elevation requirement. The City has achieved enough points that it is currently rated a Class 5 therefore denoting a 25% discount in premiums for policy holders.

The initial flood insurance rates maps for the City were established in 1981. The most recent map was established in 1995. Carlaw answered questions asked by Co-Chair Wagner regarding FEMA's national digital flood insurance rate map update and the determination that the Green River required additional study and review. The City of Auburn, King County, and other valley cities appealed the proposed updated FEMA maps in 2008. The appeal is ongoing.

Assistant City Attorney Steve Gross spoke about the State vesting doctrine, changes in Federal regulations and how that may affect permit applicants following the adoption of the updates to Title 15 and prior to the issuance of the updated FEMA map, following questions asked by Co-Chair Wagner.

Mr. Carlaw reviewed the Draft Existing FEMA Flood Zone map with the Committees, focusing on the Special Flood Hazard Areas (SFHA) and Floodways.

Environmental Protection Manager Andersen provided the Committees with background information on the Biological Opinion (Bi-Op) issued by the National Marine Fisheries Service (NMFS). The Bi-Op explains how implementation of the NFIP affects species and their habitats listed under the ESA. The opinion also includes a series of 7 actions that NMFS is recommending FEMA undertake in order to meet the requirements of the

ESA when implementing the NFIP. The actions are referred to as Reasonable and Prudent Alternatives (RPAs). Implementation is required starting in September 2010.

The RPA to revise the minimum criteria and require communities to consider and mitigate for impacts on fish habitat from development, is what is currently driving the need for amendments to Auburn City Code.

Mr. Andersen discussed staff's approach to implementation of the RPAs. Staff was notified in October 2008 of the Bi-Op. November 17, 2008 a moratorium for development in the floodplain was enacted by the City, as per the recommendation of NMFS and FEMA. The City established an internal Floodplain Review Committee to review proposals for development in the floodplain under the current moratorium. Currently, staff is working on developing the subject amendments to City Code, which are proposed to be adopted initially as interim regulations, which would become final upon approval by FEMA. Mr. Gross discussed the difference between the interim and final regulations. Gross explained the process of adopting the final regulations, following receipt of the model ordinance, following questions asked by Member Pelozo.

Mr. Andersen reviewed the key elements of the model ordinance and a draft map with the Committees, highlighting the areas outlined in red, which represent the additional area that would be regulated under the new requirements. This area is called the Riparian Habitat Zone. In most cases the Riparian Habitat Zone would be located within the SFHA and would not represent an increase in regulated area. Andersen discussed the regulatory floodplain which will include the Riparian Habitat Zone as well as the SFHA. Andersen answered questions asked by Mayor Lewis regarding how the provisions of the model ordinance would apply to existing developed neighborhoods. Andersen spoke about habitat assessment and habitat mitigation in the regulated areas.

Other key elements of the ordinance include the requirement for a Floodplain Development Permit and additional Floodplain Development Standards.

Mr. Andersen answered questions asked by Member Pelozo regarding how the Riparian Habitat Zones were determined. Mr. Gross pointed out that the Riparian Habitat Zones are not buffers which would allow no development, but rather they are zones within which development proposals would need to assess potential habitat impacts, and mitigate any impacts that are identified.

Co-Chair Norman clarified the key elements of the ordinance with staff. Mr. Gross discussed the model ordinance and its incorporation into the City's code. The City is already regulating floodplains and a lot of the requirements from the Federal agencies, the City is already meeting. The majority of changes to the City code are mandates from the Federal government. At the next study session staff will review the existing code and the additions to the code, but there is very little room for optional language in the code changes.

Staff answered questions asked by Co-Chair Norman regarding off-site mitigation of habitat.

Mr. Gross reviewed Appendix B – NFIP Ordinance Checklist with the Committees.

Item 2: This is a new requirement to create a specific Floodplain Development Permit. Andersen discussed some of the changes that will need to be made to the permitting process for development in the floodplain, following questions asked by Member Pelosa. The Committees and staff discussed the possibility of a cost increase and new permit fee schedules.

The Committee discussed the additional costs to developers in having to comply with the new criteria for developing in a floodplain and the affect that may have on the City's economic recovery. Staff discussed the possibility of the City conducting habitat impact analysis on a corridor level and using that as a tool for economic development.

Items 4 and 5: Provide certainty for the process of prioritizing what information the City and developers use to make decisions.

Item 10: The model ordinance and Bi-Op consider the act of subdividing land to be development.

Item 15: A new provision requires review of the cumulative impacts of the proposed development on the surface elevation of the base flood on the surrounding community.

Item 23: The definition of "development" was changed to include subdivisions. The definition of "recreational vehicles" was slightly changed. The requirements for and definition of "start of construction" are still being worked on by staff and the Building Official.

Assistant City Attorney Gross stated the ordinance, as the changes to Chapter 15.68 are adopted, will include language similar to the language in the Critical Areas ordinance which states if any of the provisions of the Critical Areas ordinance conflicts with anything else in the City Code, the provision that provides the most protection will prevail.

The Committee and staff discussed the process of applying for a variance.

Staff answered questions asked by Co-Chair Wagner regarding the Revised NFIP-ESA/Auburn City Code Crosswalk (January 22, 2010). Staff described the process that will be used to monitor permitting. The Committees and staff discussed whether or not the new regulations would affect the construction of a bridge at 8th Street NE.

The Committee and staff discussed The City of Auburn's FEMA Mandates (Original Crosswalks 2009).

The Committee voiced concern regarding the ratios for habitat mitigation.

The Committee and staff reviewed the Work Plan for completion of the final model ordinance.

III. ADJOURNMENT

There being no further business to come before the Planning and Community Development and Public Works Committees, Co-Chair Wagner adjourned the meeting at 7:41 p.m.

Approved this _____ day of February 2010.

Rich Wagner
Co-Chair

Jennifer Rigsby
Public Works Secretary